

# JOURNAL OF THE SENATE

Monday, May 9, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 6, 1949.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, May 4, 1949, was further corrected as follows:

Page 2, column 2, line 4, between the words "third" and "in" insert the word "time".

And as further corrected was approved.

The Senate daily Journal of Friday, May 6, 1949, was corrected as follows:

Page 5, column 2, strike out lines 42 to 55, both inclusive, and insert in lieu thereof the following:

S. B. No. 212—A bill to be entitled An Act making it unlawful for any hooded or masked person, or association or group of hooded or masked persons, to be present on or to proceed on or over any public highway, street, sidewalk, park, building, ground or other public place or property, prescribing penalties for violation of the Act and repealing all laws in conflict therewith.

Also—

Page 17, column 1, line 34, strike out the word "SECOND" and insert in lieu thereof the word "THIRD".

Also—

Page 17, column 1, between lines 13 and 14, counting from the bottom of the column, insert the following:

"SENATE BILLS ON SECOND READING".

Also—

Page 17, column 2, lines 17 and 18, counting from the bottom of the column, strike out the words "enrolling" and insert in lieu thereof the words "engrossing".

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Johns, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following Bills:

S. B. No. 398—A bill to be entitled An Act to amend Section 954.06 Florida Statutes 1941, relating to gain time of prisoners for good conduct.

S. B. No. 168—A bill to be entitled An Act to amend Sections 952.01 and 952.02, Florida Statutes, 1941, relating to inspectors of convicts and duties and compensation of convict inspectors respectively; providing for a woman inspector of convicts; and allowing the Board of Commissioners of State Institutions to determine the compensation of convict inspectors.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Leaird moved that the rules be waived and Senate Bill No. 198 be made a Special and Continuing Order of Business for consideration by the Senate commencing at 11:30 o'clock A. M., Wednesday, May 11, 1949.

A roll call was demanded.

Upon the adoption of the motion made by Senator Leaird the roll was called and the vote was:

Yeas—16

Mr. President	Boyle	Lindler	Ray
Ayers	Collins	Mathews	Shands
Beacham	Crary	McArthur	Sheldon
Beall	Leaird	Pearce	Tucker

Nays—19

Alford	Franklin	Moore	Smith
Baker	Gautier	Pope	Sturgis
Baynard	Getzen	Rodgers	Wilson
Carroll	Johnston	Sanchez	Wright
Clarke	King	Shivers	

So the motion failed of adoption.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Collins—

S. B. No. 529—A bill to be entitled An Act to rename "the Supreme Court, Railroad Commission and Library building"; providing that said building shall be known as "the Whitfield Building"; providing for the occupancy of said building; and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senator Beacham—

S. B. No. 530—A bill to be entitled An Act to provide compensation of Clerks of the Criminal Courts of Record in all counties of the State of Florida having a population of not more than one hundred twelve thousand four hundred (112,400) and not less than one hundred seven thousand (107,000) according to the State Census of Florida for 1945.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 530 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 530 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 530 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 530 was read the third time in full.

Upon the passage of Senate Bill No. 530 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 530 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 531—A bill to be entitled An Act to provide compensation of Clerks of the County Court for services performed in suits or proceedings in the County Court in all counties of the State of Florida having a population of not more than one hundred twelve thousand four hundred (112,400) and not less than one hundred seven thousand (107,000) according to the State Census of Florida for 1945 and repealing conflicting laws.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 531 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 531 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 531 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 531 was read the third time in full.

Upon the passage of Senate Bill No. 531 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 531 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 532—A bill to be entitled An Act creating a Labor Department Division of the Florida Industrial Commission: providing for the mediation and arbitration of labor disputes, exempting railway employees and employers and for the administration of other Acts as the Commission may determine.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Beacham—

S. B. No. 533—A bill to be entitled An Act to amend Chapter 440.44, Florida Statutes, 1941, as amended, changing the compensation of the members of the Commission other than the chairman from ten dollars per day to one thousand two hundred dollars per year; to eliminate the requirement that the director shall be an attorney and to make the Act effective July 1, 1949.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Sheldon—

Senate Memorial No. 534:

A RESOLUTION TO MEMORIALIZE CONGRESS TO ENACT A UNIFORM SYSTEM OF OLD AGE PENSIONS AND AID TO WIDOWS AND AID TO DEPENDENT CHILDREN.

WHEREAS, security of the aged, widows and dependent children has become a major problem before the American people; and therefore, justice and the public welfare demand that ample provision be made for the protection of their health and provide for their support; and

WHEREAS, the most feasible plan to solve the social and economic problem is the enactment by Congress of a uniform Federal Government program to provide an equitable distribution among our citizens of age sixty (60) or more and among the widows and dependent children a sum sufficient to support and maintain them with respect and decency and in keeping with our American standard of living.

NOW THEREFORE, BE IT RESOLVED, that the members of the Senate and the House of Representatives of the State of Florida, do respectfully memorialize and petition the Congress of the United States to immediately enact a national pension system for old age, aid to needy widows and aid to dependent children, and create a fund for the maintenance thereof, the proceeds of which shall be distributed equitably for all citizens over sixty (60) years of age, all needy widows, and all dependent children without regard to the sum paid or contributed by a state or other political subdivision.

AND BE IT FURTHER RESOLVED, that copies of this Memorial be immediately transmitted by the Secretary of State to the Senate and House of Representatives of the United States, and to each Senator and Representative in Congress from the State of Florida.

Which was read the first time in full.

Senator Sheldon moved that the rules be waived and Senate Memorial No. 534 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 534 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 534 was adopted and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 535—A bill to be entitled An Act to define and prohibit the unfair sales of cigarettes; to prohibit the creation or perpetuation of monopolies therein; and to provide remedies and set forth penalties for violation.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sheldon—

S. B. No. 536—A bill to be entitled An Act to amend Section 822.03, Florida Statutes, 1941, relating to wanton, willful or malicious injury to State, County or Municipal Public Buildings or structures and providing a penalty.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sheldon—

Senate Joint Resolution No. 537:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION TO ARTICLE XVI PROVIDING FOR A PERMANENT REVOLVING STATE ROADS FUND IN THE STATE TREASURY TO

**FACILITATE THE CONSTRUCTION OR PURCHASE OF STATE ROAD PROJECTS INCLUDING BRIDGES, CAUSEWAYS, VIADUCTS OR TUNNELS.**

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

The following amendment to the constitution of the State of Florida by adding to Article XVI a section to be known as Section \_\_\_\_\_, is agreed to and shall be submitted to the electors of this State for ratification or rejection at the general election to be held in 1950:

1. The Legislature may create a permanent revolving fund in the State treasury into which the State Road Department, with the approval of the State Budget Commission, may transfer not to exceed Two Million Dollars (\$2,000,000) annually, such funds to be used exclusively by the State Road Department to purchase from the Florida State Improvement Commission or other public toll bridge or toll road authority, any bridge, causeway, viaduct or tunnel, either by outright purchase or by installments over a period of years, without pledging or binding the credit of the State.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Sheldon—

S. B. No. 538—A bill to be entitled An Act to establish a permanent revolving State Roads Fund in the State Treasury to facilitate the construction or purchase of state road projects including bridges, causeways, viaducts or tunnels.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Appropriations.

By Senator Sheldon—

S. B. No. 539—A bill to be entitled An Act to amend Section 192.06 of Chapter 192, Florida Statutes, 1941, and thereby include bona fide labor organizations in the tax exempted class, except that part of such real property from which rental income is received shall not be exempt.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—

S. B. No. 540—A bill to be entitled An Act creating new section to Chapter 600; exempting certain persons or certain conditions and with certain exceptions from the provisions of Chapters 594, 595, 596, 597, 598, 599, and 600; Florida Statutes, 1941, all relating to the citrus industry.

Which was read the first time by title only and referred to the Committee on Citrus Fruits.

By Senator Getzen—

S. B. No. 541—A bill to be entitled An Act to amend Sections 291.02 and 291.04, 1947 Supplement, Florida Statutes, 1941, relative to Confederate pensions by increasing the amount of pension from sixty dollars to eighty dollars per month for Confederate veterans and their widows.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Leaird—

S. B. No. 542—A bill to be entitled An Act relating to construction or repair of buildings of the State of Florida; to require separate specifications for heating and ventilating; plumbing and gas fitting; electrical installations; and air conditioning branches of work, when the entire cost of such work shall exceed ten thousand dollars.

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senator Baynard—

S. B. No. 543—A bill to be entitled An Act exempting domestic insurers, which maintain their home offices in this State, from payment of the tax on insurance and annuity premiums, assessments or considerations received from residents of this State which now and heretofore have been imposed by subsection (2) of Section 205.43, Florida Statutes,

1941, as amended (same being subsection (2) of Section 1 of Chapter 22671, Laws of Florida, Acts of 1945), and making the exemption so provided effective for the calendar year of 1949 and subsequent years; repealing Section 205.44-1, Florida Statutes, 1941, as amended (same being Section 1 of Chapter 22749, Laws of Florida, Acts of 1945), related to an optional method of computing and paying premium receipts taxes by insurers; and providing that should Section 1 of this Act be judicially declared invalid, the Legislature would not have enacted the remaining portions of this Act.

Which was read the first time by title only and referred to the Committee on Insurance and the Committee on Finance and Taxation.

By Senator Shands—

S. B. No. 544—A bill to be entitled An Act to amend Section 561.42, Florida Statutes, 1941, as amended by Chapter 23746, Laws of Florida, Acts of 1947, relating to the prohibition against manufacturers or distributors of alcoholic beverages having any financial interest in the business of vendors of such beverages and the prohibition of financial aid by manufacturers and distributors of such beverages to vendors thereof and relating to the terms of sale of such beverages by such manufacturers and distributors; by providing notice and opportunity to show cause why further sales to vendors should not cease after delinquency in credit provisions thereof; providing for cash sales during the pendency of such procedure; and increasing the taxes on certain beverages containing fourteen per cent or more of alcohol by weight.

Which was read the first time by title only and referred to the Committee on Finance and Taxation and the Committee on Temperance.

By Senator Collins—

S. B. No. 545—A bill to be entitled An Act to amend Chapter 24046, Laws of Florida, Acts of 1947, by eliminating all fees in connection with the licensing and renewal licensing of airports and to eliminate the exemption from said law of airports under the control of County Aviation Authorities, County Port Authorities, or Municipal Authorities.

Which was read the first time by title only and referred to the Committee on Aviation and Radio.

By Senator Collins—

S. B. No. 546—A bill to be entitled An Act to amend Sections 8 and 18 of Chapter 24045, Laws of Florida, Acts of 1947, by providing for the distribution of fees and charges collected under the provisions of said Act.

Which was read the first time by title only and referred to the Committee on Aviation and Radio.

By Senator Collins—

S. B. No. 547—A bill to be entitled An Act making it a misdemeanor for any person to violate any rule, regulation or order governing traffic into, on or out of any municipal airport; defining the terms "person," "municipality," "traffic," and "airport" and providing penalties for violation thereof.

Which was read the first time by title only and referred to the Committee on Aviation and Radio.

By Senator Collins—

S. B. No. 548—A bill to be entitled An Act to empower Florida State Improvement Commission to acquire, maintain, manage and operate airports; to authorize the Commission to adopt regulations; to prescribe for the rental, tolls and charges; to authorize contracts with other agencies and departments for the maintenance, management, control and operation thereof.

Which was read the first time by title only and referred to the Committee on Aviation and Radio.

By Senator Collins—

S. B. N. 549—A bill to be entitled An Act to prohibit the operation of aircraft in a careless or reckless manner, or while under the influence of intoxicating liquor, narcotics, or other habit-forming drug, to prescribe penalties for violation and to regulate prosecutions and the duty of the Court in such cases.

Which was read the first time by title only and referred to the Committee on Aviation and Radio.

By Senator Collins—

S. B. No. 550—A bill to be entitled An Act relating to compulsory isolation and hospitalization of certain persons infected with tuberculosis: requiring the State Board of Health or its qualified representatives to investigate all such cases; authorizing the State Board of Health to file a petition for examination of infected persons, requiring the county or Circuit Judge to appoint an examining committee; providing for appeal from commitment; requiring the State Board of Health to treat, quarantine, and isolate, by compulsion when necessary, such persons in hospitals operated for that purpose by the State Tuberculosis Board; providing for adequate facilities at State institutions for custody, care and maintenance of such persons; providing for the manner in which, and by whom cost of such care and treatment is to be paid; declaring this Act shall not affect certain other laws; providing for transporting infected persons to State Sanatoria; providing for payment of expenses incident thereto; and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senators Beacham and Boyle—

S. B. No. 551—A bill to be entitled An Act making an appropriation for payment of cost of the interim Joint House-Senate Flood Control Committee.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 551 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 551 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 551 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 551 was read the third time in full.

Upon the passage of Senate Bill No. 551 the roll was called and the vote was:

Yeas—36

Mr. President	Clarke	Leaird	Sanchez
Alford	Collins	Lindler	Shands
Ayers	Crary	Mathews	Sheldon
Baker	Davis	McArthur	Shivers
Baynard	Franklin	Moore	Smith
Beacham	Gautier	Pearce	Sturgis
Beall	Getzen	Pope	Tucker
Boyle	Johnston	Ray	Wilson
Carroll	King	Rodgers	Wright

Nays—None

So Senate Bill No. 551 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 552—A bill to be entitled An Act authorizing the cities and towns of the State of Florida to adopt or incorporate by reference any published code or public record as defined herein; requiring the filing of such codes and public records; prohibiting the adoption of penalty clauses by reference; ratifying the prior adoption of such codes and public records by reference; and providing for the severability of provisions hereof.

Which was read the first time by title only and referred to the Committee on Cities and Towns.

By Senator Mathews—

Senate Joint Resolution No. 553:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 11 OF ARTICLE 9 OF THE CONSTITUTION OF THE STATE OF FLORIDA TO PROVIDE FOR AN IN-

COME TAX UPON THE INCOMES OF RESIDENTS OR CITIZENS OF THE STATE OF FLORIDA AND PROVIDING CERTAIN EXEMPTIONS.

WHEREAS, it is a matter of common knowledge, of which the Legislature of Florida can well take notice, that the state government has reached a point of financial crisis; that acceptable sources of tax revenue not prohibited by the Constitution of the State of Florida have been virtually exhausted; that the actual demands on the state government have grown to exceed anticipated revenues from present existing sources; that such demands and needs continue to grow from year to year and demand additional revenue not now available because of existing economic or organic inhibitions; and

WHEREAS, it appears that under our present constitutional inhibitions certain lucrative forms of business, industry, and personal income are escaping their just, fair, and proportionate part of the cost of government; and

WHEREAS, for these and other facts and things generally known to the members of this body there exists an emergency requiring an early decision by the electors of the State of Florida with respect to the constitutional amendment herein-after mentioned and set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Section 11 of Article 9 of the Constitution of the State of Florida be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at a special election to be held on the first Monday in September, 1949, as follows:

Section 11. (1) No taxes upon inheritances of residents or citizens of this State shall be levied by the State of Florida, or under its authority, and there shall be exempt from taxation to the head of the family residing in this State, household goods and personal effects to the value of Five Hundred (\$500.00) Dollars, provided, however, that the Legislature may provide for the assessment, levying and collection of a tax upon inheritances, or for the levying of estate taxes, not exceeding in the aggregate the amounts which may by any law of the United States be allowed to be credited against or deducted from any similar tax upon inheritances, or taxes on estates assessed or levied by the United States on the same subject, but the power of the Legislature to levy such inheritance taxes, or estate taxes in this State, shall exist only so long as, and during the time, a similar tax is enforced by the United States against Florida inheritances or estates and shall only be exercised or enforced to the extent of absorbing the amount of any deduction or credit which may be permitted by the laws of the United States, now existing or hereafter enacted to be claimed by reason thereof, as a deduction or credit against such similar tax of the United States applicable to Florida inheritances or estates.

(2) (a) There is hereby levied by the State of Florida upon all the income of all persons, firms or corporations in the State of Florida, and against all the income of all persons, firms or corporations domiciled outside the State of Florida as to the earnings of such foreign person, firm or corporation earned within the State of Florida, a tax upon the income thereof. The amount of such income tax shall be equal to eighteen (18) per cent of the amount due and payable to the Federal government as federal income tax for the same calendar year, before the deduction of the Florida income tax, on the first \$500,000.00 of Federal income tax, or fraction thereof; and equal to eight (8) percent of any excess of Federal Tax over \$500,000.00; provided, however, that any person, firm or corporation with a gross income of less than \$3,600.00 shall stand exempted from this tax.

(b) Such tax shall be paid to the Comptroller of Florida, who is hereby authorized, empowered and directed to prescribe rules, regulations and forms to facilitate the collection of same.

(c) All taxes collected hereunder shall be and become part of the General Revenue of the State of Florida; provided, that the Legislature may in the future provide for the appropriation of all or any part of such taxes to any state, county, or municipal purpose.

(d) The Legislature may from time to time in its discretion reduce the amount of the tax herein and hereby imposed.

Which was read the first time in full and referred to the Committee on Finance and Taxation and the Committee on Constitutional Amendments.

By Senator Mathews—

S. B. No. 554—A bill to be entitled An Act to authorize the Duval County Welfare Board to establish and operate an approved school of nursing, and to erect, equip, furnish and maintain a nurses' home building for the housing of student nurses and nurses employed in the hospitals and out-patient departments operated by said board; and to authorize and require the Board of County Commissioners of Duval County, Florida, and the Budget Commission of Duval County, Florida, to levy and appropriate funds for the erection, equipping and furnishing of said building not in excess of one mill for the year 1949; and to authorize the Duval County Welfare Board to accept assistance from the United States by grant or otherwise for such purposes.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 554 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 554 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 554 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 554 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 554 was read the third time in full.

Upon the passage of Senate Bill No. 554 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 554 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 555—A bill to be entitled An Act to amend Section 4 of Chapter 21228, Laws of Florida, Acts of 1941, relating to establishing and maintaining a public hospital in Nassau County; elections and duties of Board of Hospital Trustees; bond required of chairman.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 555 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator McArthur moved that the rules be waived and Senate Bill No. 555 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 555 was read the second time by title only.

Senator McArthur moved that the rules be further waived

and Senate Bill No. 555 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 555 was read the third time in full.

Upon the passage of Senate Bill No. 555 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 555 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shands moved that House Bill No. 74 be recommended to the Committee on Public Roads and Highways for further consideration.

Which was agreed to by a two-thirds vote and it was so ordered.

#### MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

May 6, 1949

Hon. Newman C. Brackin,  
President of the Senate.  
Tallahassee, Florida  
Sir:

I have the honor to inform you that I have today approved the following Acts, which originated in your Honorable Body, and have caused same to be filed in the office of the Secretary of State:

S. B. No. 106—Relating to toll bridges and causeways.

S. B. No. 232—Relating to Senate rooms and space.

S. B. No. 341—Relating to Dade County.

Respectfully,  
FULLER WARREN,  
Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 9, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Mr. Dekle of Taylor—

H. B. No. 509—A bill to be entitled An Act relating to and fixing the compensation of the Supervisor of Registration of Taylor County, Florida.

Which amendment reads as follows:

In Section 1, line 7 (typewritten bill), strike out the word: less and insert in lieu thereof the following: more.

Respectfully,  
**LAMAR BLEDSOE,**  
 Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 9, 1949.

*Hon. Newman C. Brackin,*  
*President of the Senate.*  
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Mr. Copeland of Collier—

H. B. No. 336—A bill to be entitled An Act declaring, designating and establishing certain state roads in Collier County, Florida.

Which Amendments read as follows:

Amendment No. 1:

In Section 1, line 4 (typewritten bill), after the word "road" strike out the words "100 feet wide".

Amendment No. 2:

In Section 1, line 4 (typewritten bill), after the word "A" strike out the word "paved".

Respectfully,  
**LAMAR BLEDSOE,**  
 Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 9, 1949.

*Hon. Newman C. Brackin,*  
*President of the Senate.*  
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Mr. Bryant of Marion—

H. B. No. 37—A bill to be entitled An Act to amend Section 167.09 of the Florida Statutes, 1941, of the State of Florida relating to the laying off, improving, altering, discontinuing, diverting or abandoning parks, public squares, streets, avenues, lanes, highways and canals.

Which Amendments read as follows:

Amendment No. 1:

In Section 1, line 14 (typewritten bill), after the word "discontinue" strike out the word "or".

Amendment No. 2:

In Section 1, line 15 (typewritten bill), strike out the word "abandon".

Respectfully,  
**LAMAR BLEDSOE,**  
 Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 9, 1949.

*Hon. Newman C. Brackin,*  
*President of the Senate.*  
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Mr. Burnsed of Baker—

H. B. No. 12—A bill to be entitled An Act relating to the

fees and compensation of the County Judge for services performed in suits or proceedings and in criminal cases, before the County Judge's court in all counties of the State of Florida.

Which Amendment reads as follows:

In Section 5, line 3 (typewritten bill), after the words "Final Judgment" strike out the word "of".

Respectfully,  
**LAMAR BLEDSOE,**  
 Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 9, 1949.

*Hon. Newman C. Brackin,*  
*President of the Senate.*  
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Messrs. Carlton of Duval and Okell and Lantaff of Dade—

H. B. No. 138—A bill to be entitled An Act relating to expert witnesses in civil actions and providing for fees of expert witnesses in such actions.

Which amendment reads as follows:

In Section 2, after the word "determine" in line 4 of said Section 2, insert the following:

not in excess of \$10.00 per hour from time of reporting to the place of the trial until conclusion of his testimony.

Respectfully,  
**LAMAR BLEDSOE,**  
 Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 9, 1949.

*Hon. Newman C. Brackin,*  
*President of the Senate.*  
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Mr. Clement of Pinellas—

H. B. No. 11—A bill to be entitled An Act to amend Section 192.45 of Florida Statutes, 1941, to provide that trustees of Internal Improvement Fund, shall be authorized and directed to convey to any municipality, all lands vested in the State pursuant to Chapter 18296, Acts of 1937, situated in a municipality of the State without any reservation or restrictions being contained in such conveyance; providing for application to the trustees of Internal Improvement Fund by municipality for such lands; providing for exemption of such lands from county ad valorem taxes; and authorizing municipality to sell, lease, rent or otherwise dispose of such lands and use the proceeds for any municipal purposes.

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 8 (typewritten bill), insert after the words "contained in said conveyance" the following: "except as hereinafter stated."

Amendment No. 2—

In Section 1, line 17 (typewritten bill), add after the sentence ending with the words "land so conveyed" the following sentence: "Before said conveyance is prepared, said application shall be submitted to the State Road Department for review and, if requested by the State Road Department, such conveyance shall contain a reservation unto the State of Florida for the use of the State Road Department of Florida of an assessment for right of way purposes over and through so

much of said lands as is within 100 feet of the center line of any existing state road."

Amendment No. 3—

In (typewritten bill), Subsection 1, of Section 1, in line 16 strike out the words "one dollar" and insert in lieu thereof the following: twenty-five cents.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 9, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed as amended by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1949 Session of the Florida Legislature—

By Senator Ray—

Senate Joint Resolution No. 46:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 5, ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE STATE CENSUS, MAKING A STATE ENUMERATION UNNECESSARY AND ADOPTING THE PRECEDING DECENNIAL FEDERAL CENSUS AS THE STATE CENSUS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following Amendment to Section 5, Article VII of the Constitution of the State of Florida relative to the State Census, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1950, as follows:

Section 5. The Legislature shall no longer be required to provide for an enumeration of the inhabitants of the State. The last preceding decennial Federal census shall also be the State census and shall control in all population Acts and constitutional apportionments, unless otherwise ordered by the Legislature.

Which amendment reads as follows:

In Section 5, line 3, of the bill, after the words "Federal census" insert the following: "beginning with the federal census of 1950".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Joint Resolution No. 46, contained in the above Message, was read in full, together with the House Amendment thereto.

And Senator Ray moved that the Senate do concur in the House Amendment to Senate Joint Resolution No. 46.

Which was agreed to and the Senate concurred in the House Amendment to Senate Joint Resolution No. 46.

Whereupon the roll was called on the passage of Senate Joint Resolution No. 46, as amended, which reads as follows:

Senate Joint Resolution No. 46:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 5, ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE STATE CENSUS, MAKING A STATE ENUMERATION UNNECESSARY AND ADOPTING THE PRECEDING DECENNIAL FEDERAL CENSUS AS THE STATE CENSUS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following Amendment to Section 5, Article VII of the Constitution of the State of Florida relative to the State Census, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1950, as follows:

Section 5. The Legislature shall no longer be required to provide for an enumeration of the inhabitants of the State. The last preceding decennial Federal census beginning with the Federal census of 1950 shall also be the State census and shall control in all population Acts and constitutional apportionments, unless otherwise ordered by the Legislature.

And the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Joint Resolution No. 46 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1949 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

And Senate Joint Resolution No. 46, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 9, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted with amendment:

Senate Memorial No. 282:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION AS PROVIDED BY ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, FOR THE PURPOSE OF DETERMINING THE ADOPTION OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WHEREBY THE UNITED STATES CAN PARTICIPATE IN A LIMITED WORLD FEDERAL GOVERNMENT TO BE CREATED BY AMENDMENT TO THE UNITED NATIONS CHARTER, OR BY A WORLD CONSTITUTIONAL CONVENTION, WITH AUTHORITY TO ENACT, INTERPRET AND ENFORCE LAWS TO PREVENT WARS.

WHEREAS, war is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense; and

WHEREAS, the effective maintenance of world peace is the proper concern and responsibility of every American citizen: and

WHEREAS, the people of the State of Florida, while now enjoying domestic peace and security under the laws of their local, state and federal government, deeply desire the guarantee of world peace; and

WHEREAS, all history shows that peace is the product of law and order, and that law and order are the product of government; and

WHEREAS, the United Nations, as presently constituted,



although accomplishing great good in many fields, lacks authority to enact, interpret or enforce world law, and under its present charter is incapable of restraining any major nations which may foster or foment war; and

WHEREAS, the charter of the United Nations expressly provides in Article 108 and 109, a procedure for reviewing and altering the charter; and

WHEREAS, the necessity for endowing the United Nations with limited powers rendering it capable of enacting, interpreting or enforcing world law adequate to prevent war has been recognized by the Florida State Legislature through the passage of House Concurrent Resolution No. 10, 1945; and

WHEREAS, many other states have memorialized Congress through resolutions by their state legislatures or in referenda by their voters, to initiate steps toward the creation of a world federal government; and

WHEREAS, several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty sufficient to endow it with powers adequate to prevent war.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to call a convention for the sole purpose of proposing amendment to the Constitution to expedite and insure the participation of the United States in a world federal government, open to all nations, with powers which, while defined and limited, shall be adequate to preserve peace, whether the proposed Charter or Constitution of such world federal government be presented in the form of amendments to the Charter of the United Nations, or by a world constitutional convention.

RESOLVED, That the Secretary of State of the State of Florida is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to the members of the said Senate and House of Representatives from this state, and to the presiding officers of each of the legislatures in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED, that certified copies of the foregoing preamble and memorial be immediately forwarded by the Secretary of State of the State of Florida, under the GREAT SEAL, to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

Which amendment reads as follows:

In the Resolving Part, line 4, of the bill, strike out the words: "to expedite and insure" and insert the following in lieu thereof: "to enable."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Memorial No. 282, contained in the above Message, was read in full, together with the House Amendment thereto.

Senator Sheldon moved that the Senate do concur in the House Amendment to Senate Memorial No. 282.

Which was agreed to and the Senate concurred in the House Amendment to Senate Memorial No. 282.

And Senate Memorial No. 282, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 6, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. McClure of Pinellas, Dekle of Taylor, and Melvin of Santa Rosa—

H. B. No. 35—A bill to be entitled An Act to prohibit the employment of attorneys by State officials, boards, bureaus, or commissions and providing that the Attorney General shall be the legal adviser for all such agencies, providing certain exceptions thereto and limiting the amount of compensation which may be paid.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 35, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C" and the Committee on Governmental Reorganization.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 9, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Senators Shands, Gautier and Baker—

S. B. No. 180—A bill to be entitled An Act defining and regulating the practice of medical technology; licensing medical technologists and medical technologist directors and providing for the qualification and examination of applicants for such licenses; providing that practitioners of the healing arts and others shall be exempt from all provisions of this Act; creating a Board of Medical Technology and providing for the appointment of its members, prescribing its organization, and defining its powers and duties; providing for advisors to said board representing the State Board of Medical Examiners, the Board of Examiners in the basic sciences, and the State Board of Health, and the Florida Society of Pathologists, and prescribing their powers and duties; providing fees to be charged persons coming within the terms of the Act and the disposition thereof; providing for the enforcement of the Act by the State Board of Health, by proceedings for the revocation or suspension of licenses issued hereunder, by injunction proceedings and by criminal prosecution.

Which amendments read as follows:

Amendment No. 1—

In Section 2 of the bill, strike all of sub-section (4), and insert the following in lieu thereof: (4) The "Board" is the Board of Examiners in the Basic Sciences.

Amendment No. 2—

In Section 7, Sub-section (3), line 1, of the bill, strike out the words: "with the approval of the board of examiners in the basic sciences".

Amendment No. 3—

In Section 8, page 6, line 10, after the word "Board" strike out the words: "and also approved by the Board of Examiners in the Basic Sciences. The Board may from time to time increase but not decrease, the minimum education requirements and minimum training requirements of an applicant for examination."

Amendment No. 4—

In Section 14, Sub-section (1), line 2, of the bill, strike out



the words: "Sections 9, 13, 14, and 18," and insert the following in lieu thereof: "Sections 8, 12, 13 and 17".

**Amendment No. 5—**

In Section 14, page 9, line 6, of the bill, strike out the words: "State Board of".

**Amendment No. 6—**

In Section 15, page 9, line 7, and in Section 15, page 10, sub-section (3) lines 1 and 2, and in Section 15, page 10, sub-section (4) line 3, strike out the words: "Florida Board of Medical Technology," and insert the following in lieu thereof: Board of Examiners in the Basic Sciences.

**Amendment No. 7—**

In Section 17, page 11, lines 5, 6 and 7 after the words "as fixed by" strike out the words: "Florida Board of Medical Technology, the same to be deposited in the State Treasury to the credit of the State Board of Medical Technologists Operating Fund," and insert the following in lieu thereof: Board of Examiners in the Basic Sciences, the same to be deposited in the State Treasury to the credit of the Medical Technologists Operating Fund.

**Amendment No. 8—**

In Section 15, Sub-section 4, line 3, of the bill, strike out the words: "Section 17 and 18 hereof," and insert the following in lieu thereof: Sections 16 and 17 hereof.

**Amendment No. 9—**

In Section 17, Sub-section 3, line 2, after the words "Board of" strike out the words: "Medical Technology," and insert the following in lieu thereof: Examiners in the Basic Sciences.

**Amendment No. 10—**

Page 2, line 1, of the bill, strike out the words: of Medical Technology.

**Amendment No. 11—**

In Section 18, lines 18 and 19, of the bill, strike out the words: that any such suspension or revocation may be reviewed by the appropriate courts of this State, and insert the following in lieu thereof: Any person whose license is suspended or revoked under the provisions of this Act shall have right of appeal de novo to the Circuit Court of the county in which such person resides or has his place of business, provided such appeal shall be taken within sixty (60) days after entry of order of suspension or revocation.

**Amendment No. 12—**

In Section 18, line 25, of the bill, strike out the "period" and insert the following in lieu thereof; provided, however, that said charges must be heard in the county where the accused resides or has his place of business.

**Amendment No. 13—**

In the Title of the bill, strike out the words: Creating a Board of Medical Technology and providing for the appointment of its members, prescribing its organization, and defining its power and duties; providing for advisors to said board representing the State Board of Medical Examiners, the Board of Examiners in the Basic Sciences, the State Board of Health and the Florida Society of Pathologists, and prescribing their powers and duties; and insert the following in lieu thereof: Providing for the administration of this Act by the Board of Examiners in the Basic Sciences.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 180, contained in the above Message, was read by title, together with the House Amendments thereto.

Senator Gautier moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 5 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 6 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 6 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 7 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 7 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 8 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 8 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 9 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 9 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 10 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 10 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 11 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 11 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 12 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 12 to Senate Bill No. 180.

Senator Gautier moved that the Senate do concur in House Amendment No. 13 to Senate Bill No. 180.

Which was agreed to and the Senate concurred in House Amendment No. 13 to Senate Bill No. 180.

And Senate Bill No. 180, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

Senator Leaird was excused from further attendance upon the Session today.

**SPECIAL AND CONTINUING ORDER**

Pursuant to the motion made by Senator Sturgis on May 6, 1949, and the hour having arrived, the Senate took up for consideration Senate Bill No. 84 as a Special and Continuing Order.

S. B. No. 84—A bill to be entitled An Act creating a Department of Purchasing for the State of Florida; providing for the appointment of a director of purchasing, and prescribing the powers and duties of the department and the director; creating an advisory committee on purchasing and prescribing the powers and duties of same; authorizing the making of rules and regulations to carry out the provisions of this Act; and repealing all laws in conflict herewith.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 84 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 84:

Committee Substitute for S. B. No. 84—A bill to be entitled An Act creating a State Purchasing Department under the control and administration of an executive board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; prescribing its powers and duties.

Was taken up and read the first time by title only.

Senator Sturgis moved that the rules be waived and the Committee Substitute for Senate Bill No. 84 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 84 was read the second time by title only.

Senator Sturgis moved the adoption of the Committee Substitute for Senate Bill No. 84.

Which was agreed to and the Committee Substitute for Senate Bill No. 84 was adopted.

Senator Sturgis offered the following amendment to Committee Substitute for Senate Bill No. 84:

In Section 3 (typewritten bill), after the word "purchasing" on line 7, strike out the following: "and purchases made, pursuant to statute, by a state board composed entirely of officers who are also members of the State Purchasing Department,".

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Sturgis and Davis offered the following amendment to Committee Substitute for Senate Bill No. 84:

At end of Subsection (a) of Section 2, strike the period, add a semicolon (;) and the following words: "provided, that the office of the Attorney General shall exclusively provide all legal services incident to the powers and duties of the State Purchasing Department."

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands offered the following amendment to Committee Substitute for Senate Bill No. 84:

In Section 2, sub-section b, after figures "\$100,000.00" insert "conditioned upon the faithful performance of his duties and the strict accounting for and paying over to the State Treasurer all sums of money coming into his hands, except his legal compensation and expenses, by virtue of his employment or under color thereof."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands also offered the following amendment to Committee Substitute for Senate Bill No. 84:

In Section 2, sub-section c, line 2, after word "equipment" insert "and repairs thereto".

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins offered the following amendment to Committee Substitute for Senate Bill No. 84:

After Section 4 add the following:

"Section 4A—It is hereby declared to be the policy of the

State that all purchases made hereunder of materials, supplies, equipment, etc., sold by or through citizens, residents and taxpayers of Florida shall be purchased in this State from such citizens, residents, and taxpayers, except in instances when substantial savings may be effected by purchase from outsiders. The executive board is authorized by rules and regulations to establish fair and reasonable tolerances to be applied as between offers to sell submitted by citizens, residents, and taxpayers, and those submitted by outsiders."

Senator Collins moved the adoption of the amendment.

A roll call was demanded.

Upon the adoption of the amendment offered by Senator Collins, the roll was called and the vote was:

Yeas—9

Beacham	Crary	Pope
Beall	Johns	Rodgers
Collins	Johnston	Sheldon

Nays—28

Mr. President	Clarke	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	Franklin	Moore	Sturgis
Baker	Gautier	Pearce	Tucker
Baynard	Getzen	Ray	Walker
Boyle	King	Sanchez	Wilson
Carroll	Lindler	Shands	Wright

So the amendment failed of adoption.

Senator Baynard offered the following amendment to Committee Substitute for Senate Bill No. 84:

In Section 2, add a section to read as follows: Subsection (G). This Act shall not be construed to waive or suspend the provisions of any law of this State requiring competitive bidding in the purchase of supplies, materials, and equipment, et cetera.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis moved that the rules be further waived and Committee Substitute for Senate Bill No. 84, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 84, as amended, was read the third time in full.

Senator Mathews moved that the rules be waived and Committee Substitute for Senate Bill No. 84, as amended, be placed back on Second Reading for the purpose of further amendment.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Mathews offered the following amendment to Committee Substitute for Senate Bill No. 84:

After the Enacting Clause of the (typewritten bill) strike out the entire bill and insert in lieu thereof the following:

Section 1. **Department of Purchasing.**—There is hereby created and established a department of the state government which shall be known and designated as the State Purchasing Department, the administrative head of which shall be the Director of Purchasing.

Section 2. **Director of Purchasing.**—The Director of Purchasing shall be appointed by the Governor for a term of two years, and his appointment shall be confirmed by the Senate; provided, however, that at any time when the Senate is not in session and it shall appear to the Governor, in his discretion, that the public interest of Florida is not being properly protected or best served by the Director, the Governor shall have the right to remove the Director and fill the vacancy with an ad interim appointee who shall hold office until the next regular session of the State Senate, at which time such ad interim appointee may be treated as a new appointment and submitted to the Senate for confirmation. Upon such removal being made by the Governor in his discretion, the Director shall have no further claim to the office nor enjoy

any further emoluments therefrom. The Director shall receive an annual salary of \$10,000.00, and shall be required to give bond in the amount of not less than \$100,000.00, the premium for which shall be paid out of funds appropriated to the State Purchasing Department.

**Section 3. Powers and Duties.**—The State Purchasing Department, acting by and through the Director of Purchasing, is authorized and directed to contract for, purchase, rent or lease all material, supplies and equipment required by any office, department, board, bureau, commission, or other agency of the State of Florida, and all state institutions, including all penal, charitable, and educational institutions, which state agencies and state institutions are hereinafter designated as "Using Agencies."

**Section 4. Advisory Committee on Purchasing.**—There is hereby created an Advisory Committee on Purchasing, which shall be composed of the Governor, the Secretary of State, the Attorney General, the State Treasurer, the State Comptroller, the Commissioner of Agriculture, and the State Superintendent of Public Instruction, and their successors in office. Four members of the Advisory Committee on Purchasing so constituted shall constitute a quorum, and the Governor shall be the Chairman thereof.

**Section 5. Powers and Duties of Committee.**—The Advisory Committee on Purchasing shall act in an advisory capacity to the Director of Purchasing and shall make recommendations to said Director on matters of policy relating to the administration of this Act. Said Committee shall have the right to inspect, at all times and with or without notice, to the Director, the administrative machinery set up by the Director to carry out the provisions of this Act, including the books and records of his office.

**Section 6. Employees of the Department.**—The Director of Purchasing may employ such assistants and such other employees as may be necessary to enable him to carry out his duties under this Act. The qualifications, duties and salaries of such assistants and employees shall be as prescribed by the Director. Such assistants and employees shall be required to give bond in an amount to be prescribed by the Director, the premiums for which shall be paid out of the funds appropriated to the State Purchasing Department.

**Section 7. Purchasing by Using Agencies Prohibited.**—No material, supplies or equipment shall be purchased by or on behalf of any Using Agency except through the State Purchasing Department; provided, however, that emergency purchases, purchases of perishables, and purchases of other items of material, supplies and equipment which are not adaptable to centralized purchasing, may be made directly by the Using Agencies when authorized by the Director of Purchasing and in accordance with rules and regulations to be prescribed for such purchases by the Director of Purchasing, as hereinafter provided for.

**Section 8. Approval of Purchases by Using Agencies.**—No purchase of material, supplies or equipment required by this Act to be purchased by the State Purchasing Department shall be made except upon authority of a requisition from the Using Agency.

**Section 9. Transfer and Sale of Surplus Materials.**—Any material, supplies or equipment of any Using Agency which shall be determined by such Agency to be surplus and reported to the Director of Purchasing as such, may be transferred by said Director to another Using Agency having need therefor, at a fair value payable to the State Treasurer for the account of the Using Agency owning and reporting such surplus. Any such surplus not required by another Using Agency may be sold by the Director and the proceeds of such sale remitted in the same manner.

**Section 10. Rules and Regulations.**—The Director of Purchasing is authorized to adopt, promulgate, and from time to time amend or rescind, such rules and regulations as are necessary or desirable to carry out the provisions of this Act; provided, however, that no rules and regulations shall become effective, except, unless and until such rules and regulations shall have been submitted to and approved by the Advisory Committee on Purchasing.

**Section 11. Severability.**—If any provision of this Act or any rule, regulation or order thereunder, or the application of same to any person or circumstances shall be held invalid,

the remainder of this Act and the application of such provision of this Act or of such rule, regulation or order to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

**Section 12.** All laws or parts of laws in conflict herewith are hereby repealed.

**Section 13.** This Act shall take effect on the 1st day of July, 1949.

Senator Mathews moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84, Senator McArthur moved that when the Senate adjourns at this Session it recess to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

Pending adoption of the amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84, Senator Sturgis moved that the rules be waived and the hour of adjournment be extended until final disposition of Committee Substitute for Senate Bill No. 84, as amended.

A roll call was demanded.

Upon the adoption of the motion made by Senator Sturgis, the roll was called and the vote was:

Yeas—19

Mr. President	Beall	Getzen	Shivers
Alford	Boyle	Johnston	Sturgis
Ayers	Clarke	Pope	Walker
Baker	Collins	Rodgers	Wilson
Baynard	Gautier	Shands	

Nays—16

Beacham	Johns	McArthur	Sanchez
Crary	King	Moore	Sheldon
Davis	Lindler	Pearce	Smith
Franklin	Mathews	Ray	Tucker

So the motion failed of adoption by the required two-thirds vote.

The question recurred upon the adoption of the amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84.

A roll call was demanded.

Upon the adoption of the amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84, the roll was called and the vote was:

Yeas—13

Mr. President	Franklin	Rodgers	Wright
Beacham	Getzen	Sanchez	
Beall	Johns	Sheldon	
Carroll	Ray	Tucker	

Nays—23

Alford	Collins	Lindler	Shands
Ayers	Crary	Mathews	Shivers
Baker	Davis	McArthur	Sturgis
Baynard	Gautier	Moore	Walker
Boyle	Johnston	Pearce	Wilson
Clarke	King	Pope	

So the amendment failed of adoption.

Senator Mathews moved that the Senate reconsider the vote by which the foregoing amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84 failed of adoption.

Pending adoption of the motion made by Senator Mathews, Senator Shands moved as a substitute motion that the rules be waived and the Senate then reconsider the vote by which the foregoing amendment offered by Senator Mathews to Committee Substitute for Senate Bill No. 84, failed of adoption.

A roll call was demanded.

Upon the adoption of the substitute motion made by Senator Shands to reconsider the vote by which the amendment offered

by Senator Mathews to Committee Substitute for Senate Bill No. 84 failed of adoption, the roll was called and the vote was:

Yeas—22

Alford	Collins	Lindler	Shivers
Baker	Crary	McArthur	Sturgis
Baynard	Davis	Moore	Walker
Beall	Gautier	Pearce	Wilson
Boyle	Johnston	Pope	
Clarke	King	Shands	

Nays—14

Mr. President	Franklin	Ray	Tucker
Ayers	Getzen	Rodgers	Wright
Beacham	Johns	Sanchez	
Carroll	Mathews	Sheldon	

Which was not agreed to by the required two-thirds vote and the substitute motion made by Senator Shands failed of adoption.

The motion made by Senator Mathews to reconsider the vote by which the preceding amendment to Senate Bill No. 84 failed of adoption went over under the rule.

The hour of adjournment having arrived a point of order was called and the Senate recessed at 1:07 o'clock P. M., until 3:00 o'clock P. M., this day.

## AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock, P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Mathews	Shivers
Alford	Crary	McArthur	Smith
Ayers	Davis	Moore	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wilson
Beall	Johns	Rodgers	Wright
Boyle	Johnston	Sanchez	
Carroll	King	Shands	
Clarke	Lindler	Sheldon	

—37.

A quorum present.

Senator Leaird was excused from attendance upon the Session this afternoon.

By permission the following Reports of Committees were received:

## REPORTS OF COMMITTEES

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 262—A bill to be entitled An Act providing for one stenographer for the Office of State Attorney in each Judicial Circuit of the State of Florida, and fixing compensation to be paid to said stenographer.

—and the Committee recommends that the Committee substitute therefor, as returned herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Baynard, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bill:

S. B. No. 279—A bill to be entitled An Act permitting the acceptance by the State Treasurer of County and Special Tax District Bonds; Road and Bridge District Bonds including certain Refunding Bonds; Certificates of the Florida State

Improvement Commission, and the Fernandina Port Authority as deposits of insurance companies required by law to make deposits with the State Treasurer.

—and recommends it do not pass.

And the Bill contained in the preceding report was laid on the table.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with amendment, for engrossing—

S. B. No. 135—A bill to be entitled An Act Amending Section 66.06, Florida Statutes, 1941, relating to the Appointment, Removal, Powers, Duties, Compensation and Reports of Commissioners appointed in partition proceedings.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 135, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with amendments, for engrossing—

S. B. No. 202—A bill to be entitled An Act relating to the assessment and collection of drainage and sub-drainage district taxes; providing payment to the Tax Assessors and Tax Collectors for their services and defining the character of such services and making disposition of various payments; providing certain exceptions for the application of this Act.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 202, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with amendment, for engrossing—

Senate Memorial No. 282:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION AS PROVIDED BY ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, FOR THE PURPOSE OF DETERMINING THE ADOPTION OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WHEREBY THE UNITED STATES CAN PARTICIPATE IN A LIMITED WORLD FEDERAL GOVERNMENT TO BE CREATED BY AMENDMENT TO THE UNITED NATIONS CHARTER, OR BY A WORLD CONSTITUTIONAL CONVENTION, WITH AUTHORITY TO ENACT, INTERPRET AND ENFORCE LAWS TO PREVENT WARS.

—begs leave to report that the amendment has been incorporated in the Memorial and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Memorial No. 282, containing in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

## ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

S. B. No. 42

S. B. No. 404

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 9, 1949, for his approval.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Enrolling Clerk.

Your Enrolling Clerk to whom was referred—

S. B. No. 257	S. B. No. 361
S. B. No. 295	S. B. No. 362
S. B. No. 296	S. B. No. 363
S. B. No. 297	S. B. No. 376
S. B. No. 315	S. B. No. 377
S. B. No. 319	S. B. No. 378
S. B. No. 320	S. B. No. 382
S. B. No. 321	S. B. No. 383
S. B. No. 322	S. B. No. 386
S. B. No. 323	S. C. R. No. 231
S. B. No. 324	S. C. R. No. 460
S. B. No. 352	

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 9, 1949, for his approval.

Very respectfully,  
ROBT. W. DAVIS, Secretary of the Senate as  
Ex Officio Enrolling Clerk of the Senate.

Senator Baynard moved that the rules be waived and the Senate take up and consider House Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

## HOUSE BILLS ON SECOND READING

H. B. No. 117—A bill to be entitled An Act amending Section 589.05, Florida Statutes, 1941, relating to the employment of the State Forester.

Was taken up in its order.

Senator Collins moved that the rules be waived and House Bill No. 117 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 117 was read the second time by title only.

The Committee on Appropriations offered the following amendment to House Bill No. 117:

In Section 1, line 10, (typewritten bill) insert the following after the word "salary": "not to exceed \$7,500.00 a year."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and House Bill No. 117, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 117, as amended, was read the third time in full.

Upon the passage of House Bill No. 117, as amended, the roll was called and the vote was:

Yeas—27

Mr. President	Clarke	Mathews	Sheldon
Alford	Collins	McArthur	Shivers
Ayers	Crary	Pearce	Smith
Baker	Franklin	Pope	Sturgis
Beacham	Gautier	Ray	Walker
Boyle	Getzen	Sanchez	Wright
Carroll	Lindler	Shands	

Nays—6

Davis	Johnston	Rodgers
Johns	King	Tucker

So House Bill No. 117 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bills Nos. 24 and 26 were taken up in their order and the consideration thereof was informally passed.

H. B. No. 64—A bill to be entitled An Act to amend Section 3 of Chapter 24302, Laws of Florida, Acts of 1947 (same being Section 526.14, Volume 1, 1947 cumulative supplement, Florida Statutes, 1941), related to indemnity insurance or bonds required as prerequisite to issuance of licenses under Chapter 24302 to dealers in liquefied petroleum gas, manufacturers of appliances and equipment for use of such gas, and persons installing such appliances on the premises of the ultimate consumer of such gas; and fixing the effective date of this act.

Was taken up in its order.

Senator Baynard moved that the rules be waived and House Bill No. 64 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 64 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 64 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 64 was read the third time in full.

Upon the passage of House Bill No. 64 the roll was called and the vote was:

Yeas—30

Mr. President	Clarke	King	Shivers
Alford	Collins	Lindler	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wright
Beall	Johns	Shands	
Carroll	Johnston	Sheldon	

Nays—1

Moore

So House Bill No. 64 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 65—A bill to be entitled An Act to amend Section 629.01, Florida Statutes, 1941, related to definitions used in Chapter 629, Florida Statutes, 1941, which chapter provides for the regulation of rates for fire and other insurance, by adding to subsection 6 of said Chapter 629.01 a provision that "insurer," as now defined therein shall also include attorneys doing business under the provisions of Chapter 628, Florida Statutes, 1941; and fixing the effective date of this act.

Was taken up in its order.

Senator Baynard moved that the rules be waived and House Bill No. 65 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 65 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 65 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 65 was read the third time in full.

Upon the passage of House Bill No. 65 the roll was called and the vote was:

Yeas—29

Mr. President	Clarke	McArthur	Shivers
Alford	Collins	Moore	Sturgis
Ayers	Davis	Pearce	Walker
Baker	Franklin	Pope	Wilson
Baynard	Gautier	Ray	Wright
Beacham	King	Rodgers	
Boyle	Lindler	Shands	
Carroll	Mathews	Sheldon	

Nays—1

Beall

So House Bill No. 65 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 163—A bill to be entitled An Act to amend Section 631.05 Florida Statutes of 1941 as amended relating to the measure of damage where property is totally or partially destroyed by fire by providing that a fire insurer may issue a policy or endorsement indemnifying the insured for the difference between the insurable value of property damaged and the actual amount expended to repair replace or rebuild.

Was taken up in its order.

Senator Baynard moved that the rules be waived and House Bill No. 163 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 163 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 163 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 163 was read the third time in full.

Upon the passage of House Bill No. 163 the roll was called and the vote was:

Yeas—31

Mr. President	Carroll	Lindler	Sanchez
Alford	Clarke	Mathews	Sheldon
Ayers	Collins	McArthur	Shivers
Baker	Franklin	Moore	Tucker
Baynard	Gautier	Pearce	Walker
Beacham	Getzen	Pope	Wilson
Beall	Johnston	Ray	Wright
Boyle	King	Rodgers	

Nays—None

So House Bill No. 163 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 91—A bill to be entitled An Act declaring the organization of any chain letter club, pyramid club or other group organized or brought together under any plan or device whereby fees, dues or anything of material value to be paid or given by members are to be paid or given to any other member, to be a lottery; providing that participation in any such lottery shall be a felony, prescribing penalties and punishments for participating in any such lottery; repealing laws in conflict herewith, and providing for the effective date of this Act.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 91 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 91 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 91 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 91 was read the third time in full.

Upon the passage of House Bill No. 91 the roll was called and the vote was:

Yeas—34

Mr. President	Clarke	McArthur	Shivers
Alford	Collins	Moore	Smith
Ayers	Franklin	Pearce	Sturgis
Baker	Gautier	Pope	Tucker
Baynard	Getzen	Ray	Walker
Beacham	Johns	Rodgers	Wilson
Beall	Johnston	Sanchez	Wright
Boyle	Lindler	Shands	
Carroll	Mathews	Sheldon	

Nays—None

So House Bill No. 91 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 54 was taken up in its order and the consideration thereof was informally passed.

H. B. No. 281—A bill to be entitled An Act relating to certiorari and the effect of the denial of a petition therefor.

Was taken up in its order.

Senator Collins moved that the rules be waived and House Bill No. 281 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 281 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 281 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 281 was read the third time in full.

Upon the passage of House Bill No. 281 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	Mathews	Sheldon
Alford	Collins	McArthur	Shivers
Ayers	Crary	Moore	Smith
Baker	Franklin	Pearce	Sturgis
Baynard	Gautier	Pope	Tucker
Beacham	Getzen	Ray	Walker
Beall	Johns	Rodgers	Wilson
Boyle	Johnston	Sanchez	Wright
Carroll	Lindler	Shands	

Nays—None

So House Bill No. 281 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 193 was taken up in its order and the consideration thereof was informally passed.

H. B. No. 48—A bill to be entitled An Act to regulate the use of State, county and municipally owned automobiles, trucks, machinery, and other equipment or supplies: to prevent the use of such automobiles, trucks, machinery, and other equipment or supplies for private purposes and prescribing the penalties for such unauthorized use.

Was taken up in its order.

Senator Johnston moved that the rules be waived and House Bill No. 48 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 48 was read the second time by title only.

Senator Johnston offered the following amendment to House Bill No. 48:

Strike out all of Section 3, and renumber Section 4 as Section 3, Section 5 as Section 4, Section 6 as Section 5.

Senator Johnston moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnston moved that the rules be further waived and House Bill No. 48, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 48, as amended, was read the third time in full.

Pending roll call on the passage of House Bill No. 48, as amended, Senator Wilson moved that the rules be waived and the further consideration thereof be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Ray, President Pro Tempore, now presiding.

H. B. No. 208—A bill to be entitled An Act to amend Section 125.08, Florida Statutes, 1941, relating to competitive bids on certain contracts and purchases made by Boards of County Commissioners, said amendment authorizing certain contracts and purchases to be made without competitive bids when the amount to be expended therefor does not exceed five hundred dollars and further authorizing such contracts and purchases to be made by unanimous vote of the members of Boards of County Commissioners in cases of emergency when the amount to be expended therefor does not exceed one thousand dollars.

Was taken up in its order.

Senator Crary moved that the rules be waived and House Bill No. 208 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 208 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 208 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 208 was read the third time in full.

Upon the passage of House Bill No. 208 the roll was called and the vote was:

Yeas—15

Beacham	Clarke	King	Sanchez
Beall	Collins	Mathews	Sheldon
Boyle	Crary	Ray	Sturgis
Carroll	Franklin	Rodgers	

Nays—19

Alford	Getzen	Pearce	Tucker
Ayers	Johnston	Pope	Walker
Baker	Lindler	Shands	Wilson
Baynard	McArthur	Shivers	Wright
Gautier	Moore	Smith	

So House Bill No. 208 failed to pass.

H. B. No. 105—A bill to be entitled An Act amending Section 40.01, Florida Statutes, 1941, relating to the general qualifications and disqualifications of jurors and the duty of persons selecting jury lists, by providing for female jurors as well as male jurors except in eminent domain proceedings.

Was taken up in its order.

Senator Gautier moved that the rules be waived and House Bill No. 105 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 105 was read the second time by title only.

Senator Gautier moved that the rules be further waived and House Bill No. 105 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 105 was read the third time in full.

Upon the passage of House Bill No. 105 the roll was called and the vote was:

Yeas—20

Mr. President	Beall	Franklin	Rodgers
Alford	Boyle	Gautier	Sheldon
Ayers	Carroll	Pearce	Smith
Baynard	Collins	Pope	Tucker
Beacham	Crary	Ray	Walker

Nays—15

Baker	Johnston	McArthur	Sturgis
Clarke	King	Moore	Wilson
Davis	Lindler	Sanchez	Wright
Getzen	Mathews	Shands	

So House Bill No. 105 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President now presiding.

H. B. No. 175—A bill to be entitled An Act to amend Section 63.64, Florida Statutes, 1941, relating to Pleading and Practice in Chancery.

Was taken up in its order.

Senator Sanchez moved that the rules be waived and House Bill No. 175 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 175 was read the second time by title only.

Senator Sanchez moved that the rules be further waived and House Bill No. 175 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 175 was read the third time in full.

Upon the passage of House Bill No. 175 the roll was called and the vote was:

Yeas—18

Ayers	Johns	Moore	Sturgis
Beacham	Johnston	Rodgers	Tucker
Collins	King	Sanchez	Wright
Crary	Lindler	Sheldon	
Davis	Mathews	Smith	

Nays—17

Mr. President	Carroll	Pearce	Walker
Alford	Clarke	Pope	Wilson
Baker	Franklin	Ray	
Baynard	Getzen	Shands	
Boyle	McArthur	Shivers	

So House Bill No. 175 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 68—A bill to be entitled An Act for the relief of Mack Simmons and making an appropriation to compensate him for the losses sustained as a result of the actions of escaped inmates of the Florida Industrial School for Boys.

Was taken up in its order.



Senator Alford moved that the rules be waived and House Bill No. 68 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 68 was read the second time by title only.

Senator Alford moved that the rules be further waived and House Bill No. 68 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 68 was read the third time in full.

Upon the passage of House Bill No. 68 the roll was called and the vote was:

Yeas—28

Mr. President	Boyle	King	Sheldon
Alford	Carroll	Moore	Shivers
Ayers	Collins	Pope	Smith
Baker	Crary	Ray	Sturgis
Baynard	Davis	Rodgers	Tucker
Beacham	Franklin	Sanchez	Wilson
Beall	Johns	Shands	Wright

Nays—6

Clarke	Lindler	McArthur
Johnston	Mathews	Pearce

So House Bill No. 68 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1949 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 72—A bill to be entitled An Act for the relief of Nina Skinner and making an appropriation to compensate her for the losses sustained as a result of the actions of escaped inmates of the Florida Industrial School for Boys.

Was taken up in its order.

Senator Alford moved that the rules be waived and House Bill No. 72 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 72 was read the second time by title only.

Senator Alford moved that the rules be further waived and House Bill No. 72 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 72 was read the third time in full.

Upon the passage of House Bill No. 72 the roll was called and the vote was:

Yeas—26

Mr. President	Carroll	Moore	Smith
Alford	Collins	Pope	Sturgis
Ayers	Crary	Rodgers	Tucker
Baker	Davis	Sanchez	Walker
Baynard	Franklin	Shands	Wright
Beacham	Johns	Sheldon	
Beall	King	Shivers	

Nays—7

Clarke	Lindler	McArthur	Ray
Johnston	Mathews	Pearce	

So House Bill No. 72 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1949 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 363.—A bill to be entitled An Act creating a Board of Trustees of the Florida State Fire College, establishing an institution to be known as the Florida State Fire College, providing for the organization, establishment, operation, and management of the institution.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and House Bill No. 363 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 363 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and House Bill No. 363 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 363 was read the third time in full.

Upon the passage of House Bill No. 363 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	Lindler	Shands
Alford	Collins	Mathews	Sheldon
Ayers	Crary	McArthur	Shivers
Baker	Davis	Moore	Smith
Baynard	Franklin	Pearce	Sturgis
Beacham	Getzen	Pope	Tucker
Beall	Johns	Ray	Walker
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	

Nays—None

So House Bill No. 363 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Sturgis withdrew Senate Bill No. 207.

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:01 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 10, 1949.